

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

|                                    |   |                                       |
|------------------------------------|---|---------------------------------------|
| CARPENTERS FRINGE BENEFIT          | ) |                                       |
| FUNDS OF ILLINOIS, <i>et al.</i> , | ) |                                       |
|                                    | ) | CIVIL ACTION                          |
| Plaintiffs,                        | ) |                                       |
|                                    | ) | NO. 11 C 0140                         |
| vs.                                | ) |                                       |
|                                    | ) | MAGISTRATE JUDGE GERALDINE SOAT BROWN |
| ROCK-IT INTERIORS, INC.,           | ) |                                       |
| an Illinois corporation,           | ) |                                       |
|                                    | ) |                                       |
| Defendant.                         | ) |                                       |

**MOTION FOR ENTRY OF JUDGMENT**

Plaintiffs, by and through their attorneys, an Agreed Order of Dismissal having been previously entered by this Court on April 9, 2014, request this Court enter judgment against Defendant, ROCK-IT INTERIORS, INC., an Illinois corporation. In support of that Motion, Plaintiffs state:

1. On April 9, 2014, this Court entered the parties' Agreed Order of Dismissal.
2. On April 9, 2014, this Court dismissed this cause of action pursuant to the parties' Agreed Order of Dismissal without prejudice with leave to reinstate by March 31, 2015. The Court retained jurisdiction to enforce the Confidential Settlement Agreement and Release, which incorporates a Promissory Note.
3. On August 29, 2014, Plaintiffs filed its first Motion to Reopen Case for the Limited Purpose of Enforcing the Settlement Agreement and Entering Judgment Against Defendant due to Defendant's failure to remain current in the submission of its monthly fringe benefit contribution

reports due throughout the period of the payment schedule set forth in the Promissory Note. The motion was scheduled for hearing on September 5, 2014.

4. On September 5, 2015, Plaintiffs' motion was entered and continued to September 26, 2014.

5. On September 26, 2014, Plaintiffs' motion was again entered and continued to October 30, 2014.

6. On October 30, 2014, Plaintiffs' motion was again entered and continued to November 7, 2014.

7. On November 7, 2014, the Court reset Plaintiffs' motion to November 14, 2015.

8. On November 14, 2014, Plaintiffs' motion was again entered and continued to December 19, 2014.

9. On December 19, 2014, Plaintiffs' motion was again entered and continued, for the last time, to January 9, 2015.

10. On January 8, 2015, Plaintiffs voluntarily dismissed its motion.

11. On March 27, 2015, Plaintiffs filed its second Motion to Reopen Case for the Limited Purpose of Enforcing the Settlement Agreement and Entering Judgment Against Defendant due to Defendant's failure to remain current in the submission of its monthly fringe benefit contribution reports due throughout the period of the payment schedule set forth in the Promissory Note. The motion was scheduled for hearing on April 3, 2015.

12. On April 2, 2015, the Court reset Plaintiffs' motion from April 3, 2015 to April 8, 2015.

13. On April 8, 2015, this Court granted Plaintiffs' motion to reopen the case to allow the parties additional time to fulfill the terms of the Confidential Settlement Agreement and Release.

14. On April 29, 2015, a status hearing was held and continued to May 27, 2015.

15. On May 27, 2015, a status hearing was held and continued to July 30, 2015. Plaintiffs' counsel advised the Court that she would be filing a motion for judgment for the attorneys' fees incurred by the Plaintiffs in enforcing the terms of the Confidential Settlement Agreement and Release.

16. On April 28, 2015, Plaintiffs' counsel sent an e-mail to Defendant's counsel advising that the Plaintiffs incurred attorneys' fees of \$2,857.50 from August 25, 2014 through March 31, 2015. Plaintiffs' counsel advised that if Defendant submitted a lump-sum payment of one-half of the attorneys' fees, she would recommend that the Trustees accept this settlement at the May 19, 2015 Board meeting.

17. On May 27, 2015, Defendant's counsel requested that Plaintiffs' counsel wait until the end of the week of June 1, 2015 before filing the instant motion.

18. As of the date of filing the instant motion, Plaintiffs' counsel's law firm has expended the total amount of \$3,645.00 in attorneys' fees in this matter since August 25, 2014. None of these attorneys' fees have been paid by Defendant. (See Affidavit of Catherine M. Chapman).

19. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$3,645.00.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$3,645.00.

/s/ Cecilia M. Scanlon

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### **CERTIFICATE OF SERVICE**

The undersigned, an attorney of record, hereby certifies that on or before the hour of 5:00 p.m., this 5th day of June 2015, she electronically filed the foregoing document (Motion) with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

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/s/ Cecilia M. Scanlon \_\_\_\_\_

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